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GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. 3:10-cv-03561-WHA

**DECLARATION OF DANIEL PURCELL
IN SUPPORT OF ADMINISTRATIVE
MOTION TO SEAL PORTIONS OF
GOOGLE'S TRIAL BRIEF**

Judge: Hon. William Alsup

Date Comp. Filed: October 27, 2010

Trial Date: October 31, 2011

1 I, Daniel Purcell, declare as follows:

2 1. I am a partner in the law firm of Keker & Van Nest LLP, counsel to Google Inc.
3 (“Google”) in the present case. I submit this declaration in support of Google’s Administrative
4 Motion to Seal Portions of its Trial Brief. I have knowledge of the facts set forth herein, and if
5 called to testify as a witness thereto could do so competently under oath.

6 2. Page 4, lines 8-22 of Google’s Trial Brief contains information designated by
7 Google as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES
8 ONLY” pursuant to the Order Approving Stipulated Protective Order Subject to Stated
9 Conditions [Dkt. No. 68] governing this case. This portion of the Trial Brief contains non-public
10 Google information concerning Google’s product development strategy.

11 3. The remaining redactions in the Trial Brief contain information that Oracle has
12 designated as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES
13 ONLY” pursuant to the Protective Order. Google takes no position as to whether disclosure of
14 materials designated by Oracle as Confidential or Highly Confidential – Attorneys’ Eyes Only
15 material would cause harm to Oracle.

16 I declare under penalty of perjury that the foregoing is true and correct and that this
17 declaration was executed at San Francisco, California on October 14, 2011.

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19 By: /s/ Daniel Purcell
20 DANIEL PURCELL
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